

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Gary Lee Pullen,

Plaintiff,

v.

Case No. 1:16cv894

Correctional Officer  
Conschafsky, *et al.*,

Judge Michael R. Barrett

Defendants.

**ORDER**

This matter is before the Court on the Report and Recommendation ("R&R") filed by the Magistrate Judge on December 10, 2018 (Doc. 95).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's R&R (Doc. 95) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 95) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, Plaintiff's Complaint is dismissed without prejudice for failure of service and this matter is closed.

**IT IS SO ORDERED.**

s/Michael R. Barrett  
Michael R. Barrett, Judge  
United States District Court